

1 W. JAMES YOUNG, Esq.
2 GLENN M. TAUBMAN, Esq. (*Pro Hac Vice*)
3 c/o National Right to Work Legal
4 Defense Foundation, Inc.
5 8001 Braddock Road, Suite 600
6 Springfield, Virginia 22160
7 (703) 321-8510
8 FACSIMILE — (703) 321-9319

9 SCOTT A. WILSON, Esq.
10 California Bar No. 073187
11 711 8th Avenue, Suite C
12 San Diego, California 92101
13 (619) 234-9011
14 FACSIMILE — (619) 234-5853

15 ATTORNEYS FOR DEFENDANT-INTERVENOR

16 UNITED STATES DISTRICT COURT
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 SERVICE EMPLOYEES INTERNATIONAL UNION,
19 LOCAL 790,

20 Plaintiff,

21 v.

22 JOSEPH P. NORELLI, Individually, and in his
23 capacity as REGIONAL DIRECTOR, NATIONAL
24 LABOR RELATIONS BOARD, REGION 20; *et al.*,

25 Defendants,

26 and

27 STEPHEN J. BURKE, JR.,

28 Defendant-Intervenor.

CASE No. 3:07-cv-2766 PJH

**[PROPOSED] ORDER DISMISSING
COMPLAINT**

HEARING DATE: Wednesday, 27 June
2007

TIME: 9:00 a.m.

**COURTROOM OF JUDGE HAMILTON,
COURTROOM 3, 17TH FLOOR**

29 The Motion to Dismiss Complaint came on for hearing before this Court on 27 June 2007.
30 Having considered all papers filed in support of and in opposition to the motion, the authorities
31 submitted by all parties, and all other matters presented, this case is hereby dismissed for lack of

1 subject matter jurisdiction, with prejudice.

2 IT IS SO ORDERED.

3 DATED: _____ 2007

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

HON. PHYLLIS J. HAMILTON
United States District Judge

F:\Burke.CA\Dismiss\Order.prp.wpd
Wednesday, 6 June 2007, 20:59:8 PM

CERTIFICATE OF SERVICE

I, W. James Young, counsel for Prospective Defendant-Intervenor, hereby certify that I electronically filed with the Clerk of Court the foregoing **[Proposed] Order Granting Motion To Dismiss Complaint**, using the CM/ECF system which will send notification of such filing to Defendants' counsel, this 6th day of June, 2007.

/s/ W. James Young

W. JAMES YOUNG